



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. MBHB 05-403)

IN THE APPLICATION OF:

Revirron, Christophe

Serial No.: 10/536,939

Filed: May 27, 2005

Title Use of Levocetirizine for the
Treatment of Persistent Allergic
Rhinitis

Examiner: Ramachandran, U.

Group Art Unit: 1617

Confirmation No.: 8331

RESPONSE TO THE OFFICE ACTION MAILED JUNE 20, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Please consider the following amendments and remarks made in response to the Office Action mailed June 20, 2007. The Patent Office is authorized to charge any fee deficiencies to deposit account 13-2490.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

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CERTIFICATE OF MAILING (37 C.F.R. 1.10)

The undersigned states that this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 19, 2007.

Date: October 19, 2007

Michael S. Greenfield, Esq.

In addition, Salmun only proposed to study nasal obstruction in **an eight-day study**. In the assessment of severity of PER, nasal obstruction is not the primary measure. Instead, quality-of-life measured using the Rhinoconjunctivitis Quality of Life Questionnaire (please see Example at page 5 of the specification) is a more accurate measure.

Furthermore, with regard to claim 29, Salmun teaches that the duration of treatment is 8 days (see Salmun paragraph [0025], one week study), which is much different than the claimed 3-month duration and not indicative or predictive of long-term treatment.

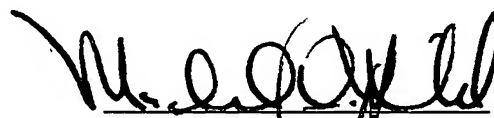
Therefore, there are significant differences between the teachings of Salmun and the present application. The teaching of Salmun, which is directed to eight-day treatment of SAR with levocetirizine or other antihistamines, does not render the claims obvious because the results of treating SAR are not predictive of the results one would have expected in treating PER with levocetirizine.

For all of the above reasons, withdrawal of the rejections based on 35 U.S.C. § 103(a) is respectfully requested.

Reconsideration of this application is respectfully requested and a favorable determination is earnestly solicited. If there are any questions or comments regarding this response or application, the Examiner is encouraged to contact the undersigned attorney as indicated below.

Respectfully submitted,

Date: October 19, 2007



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